

PEOPLE vs DANIEL KISLIUK  
Case No. 23CR00867

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1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
2 IN AND FOR THE COUNTY OF MENDOCINO  
3 HONORABLE KEITH FAULDER, PRESIDING

4 . . .

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7 PEOPLE OF THE STATE )  
8 OF CALIFORNIA, )

9 PLAINTIFF, )

10 VS. )

11 DANIEL KISLIUK, )

12 DEFENDANT. )

**CERTIFIED  
TRANSCRIPT**

CASE NO.  
23CR00867  
23CR02681  
VOLUME 1

13

14 REPORTER'S TRANSCRIPT OF PROCEEDINGS

15

16 NOVEMBER 9, 2023 - MORNING SESSION

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Deputy Public Defender

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27 CHRISTINE JONES  
Official Court Reporter  
CSR License No. 12920

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Case No. 23CR00867

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1 THURSDAY, NOVEMBER 9, 2023

2 MORNING SESSION

3 . . .

4 THE COURT: We're on the record in the People  
5 versus Daniel Kisliuk. I understand that Ms. Kelsey  
6 from the DA's office is going to appear on this;  
7 however, it looks like there is a new petition for  
8 revocation of probation in 23-00867.

9 Does Mr. Kisliuk have an attorney here in  
10 court today?

11 MR. LIBERATORE: I will appear on his behalf,  
12 Your Honor. I believe it's assigned to our lawyer on  
13 the coast.

14 THE COURT: I'll provide you with that  
15 petition.

16 I'm afraid what I'm going to have to do --  
17 this is the second amended petition. It says that a  
18 bond was posted with Mr. Kisliuk appearing on  
19 November 13th in case ending 0867, but I understand  
20 now there's a new felony complaint from November 1st.

21 Do you have that, 23-02681, Mr. Liberatore?

22 MR. LIBERATORE: I have it flagged on the  
23 calendar, but it is a coastal matter so I think --

24 CORRECTIONS OFFICER: Your Honor, we can't  
25 hear Mr. Liberatore.

26 THE COURT: Is there a complaint?

27 THE CLERK: There's a motion to amend the  
28 complaint.

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1 MR. MCMENOMEY: We do have the coastal deputy  
2 present, Your Honor. Perhaps she can shed some light.

3 MS. KELSEY: Good morning.

4 THE COURT: Thank you. I only have...

5 MS. KELSEY: There should be a motion to  
6 amend and an amended adding a 148, Your Honor, to a  
7 prior 69 felony.

8 THE COURT: All right. We didn't have that.

9 THE CLERK: It's lodged.

10 THE COURT: Mr. Liberatore, who's assigned  
11 this case in your office?

12 MR. LIBERATORE: Mr. McGowan.

13 MS. KELSEY: It would be Mr. McGowan. I did  
14 send him a message this morning.

15 THE COURT: So Mr. Kisliuk is in custody.  
16 Apparently, he has bail bonds in each of these cases  
17 and yet he's in custody.

18 MS. KELSEY: Your Honor, I believe -- and I  
19 haven't verified, but I believe that there was a  
20 request for revocation of bail submitted by the police  
21 department which was signed by Judge Nadel, and the  
22 People have filed a motion to revoke bail with a  
23 request for a hearing on Monday when Mr. Kisliuk has a  
24 pre-preliminary hearing in Ten Mile.

25 THE COURT: Well, I don't have anything in  
26 the Court's file revoking bail or anything filed by  
27 the People requesting to revoke bail. I do have the  
28 notice of motion to amend the complaint.

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1 MS. KELSEY: I have a copy of the petition.  
2 It looks like it was filed yesterday at 4:14 p.m. with  
3 the clerk in Fort Bragg, if the Court would like to  
4 look at that.

5 THE COURT: Perhaps Madam Clerk could make a  
6 copy for both Mr. Liberatore and the Court.

7 And Mr. Liberatore, I know you're being  
8 caught sort of unawares -- so am I -- on the custodial  
9 status of Mr. Kisliuk. He does have a hearing set for  
10 November 20th in the Ten Mile court with a  
11 confirmation November 13th. I can only do one of two  
12 things, and that's confirm the November 13th date or  
13 pass this until the afternoon so we can determine  
14 whether or not Mr. Kisliuk is properly in custody.

15 MR. LIBERATORE: I'm confused about what's  
16 going on here. I don't have a file. It may be best  
17 to pass it to the afternoon so that we can sort out  
18 what's going on with his custodial status.

19 CORRECTIONS OFFICER: Excuse me, Your Honor,  
20 we can't hear the court.

21 THE COURT: What we're going to do at the  
22 request of defense counsel since the defense attorney  
23 for Mr. Kisliuk isn't here is pass this until 1:30 so,  
24 Mr. Liberatore, someone from your office can contact  
25 Mr. McGowan and be better prepared to address  
26 Mr. Kisliuk's custodial status. And we will provide  
27 you with the petition that was filed at 4:14 yesterday  
28 afternoon for revocation of bail, and we'll address

1 that at 1:30.

2 MR. LIBERATORE: It's -- so I'm understanding  
3 this correctly, he was out of custody, waived the 10,  
4 maybe waived the 60, had dates set, and then he went  
5 back into custody on potentially a new matter, and  
6 then the People filed something to increase or remove  
7 bail or something like that?

8 THE COURT: Well, that's not what I said  
9 because I don't understand it to be that way. I  
10 understand he's out of custody on both of these cases  
11 having posted bonds, the People have filed a petition  
12 for revocation of bail, and he's in custody. Why he's  
13 in custody, I don't know.

14 MR. LIBERATORE: Okay.

15 THE COURT: I didn't order it. The Court  
16 didn't order it. That's as far as I know right now.

17 Do you have that petition?

18 MR. LIBERATORE: I have a copy of it.

19 THE COURT: So it will be at 1:30 today.

20 Can you have Mr. Kisliuk appear by video at  
21 that time, Deputy Williams?

22 CORRECTIONS OFFICER: Yes, Your Honor.

23 THE COURT: Thank you.

24 (Whereupon, the proceedings concluded.)  
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1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF MENDOCINO )  
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6 CERTIFICATE OF REPORTER  
7

8 I, CHRISTINE JONES, an Official Court  
9 Reporter of Superior Court of the State of California,  
10 County of Mendocino, do hereby certify that I correctly  
11 reported the within-entitled matter and that the  
12 foregoing is a full, true and correct transcription of  
13 my shorthand notes of the testimony and other oral  
14 proceedings had in the said matter.  
15

16 Dated this 13th day of August, 2024.  
17

18 *Christine Jones*  
19  
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21 CHRISTINE JONES, CSR No. 12920  
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